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VIA ECF

Hon. Eric R. Komitee, U.S.D.J.
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: **Rosado et al v. DO&CO New York Catering, Inc. et al**
Civil Action No.: 1:24-cv-06719-EK-PK

Your Honor,

This firm represents Defendant DO&CO New York Catering, Inc. ("DO&CO") in the above-referenced action. We write to respectfully request an extension of time for DO&CO to answer or otherwise respond to the complaint, from January 10, 2025, to February 21, 2025.

We request the additional time because of workload issues from attorney absences surrounding the holidays, compounded by the fact that DO&CO counsel has a trial for another matter beginning February 3, 2025. Plaintiff's counsel advised that they would only consent to a shorter extension to January 24, 2025 rather than to February 21, 2025. Plaintiff's counsel did not provide a reason why they would not consent to the full extension.

There was initially a dispute concerning whether service was properly made. To resolve this issue, DO&CO counsel agreed to waive service. The waiver was executed on November 11, 2024, which provide DO&CO 60 days from that date, as opposed to the original date of service, to respond to the Complaint per Fed. R. Civ. P. 4(d)(3). *See* ECF Doc. No. [30]. This letter constitutes DO&CO's first request to the Court for an extension of time. If granted, the extension will not affect any other scheduled dates in this action.

We thank the Court for its time and attention to this matter.

Respectfully submitted,

/s/ Steven Balken
Steven Balken, Esq.

cc: All Counsel of Record (via ECF)